



# TRS Plan 2 and Plan 3 Rules for State Elected Officials

## Washington State Department of Retirement Systems

The following rules apply to TRS Plan 2 or TRS Plan 3 members who are elected to statewide office. Additional rules governing all TRS Plan 2 and TRS Plan 3 members are summarized in the Member Handbooks for the respective plans.

### **If you are a TRS Plan 2 or TRS Plan 3 member at the time you are elected to statewide office (for example, Representative or Senator in the state legislature):**

- You cannot continue TRS membership, however
- You can take a leave without pay from TRS and return to active membership when you return to active TRS service. Once you have returned to TRS service you may be able to obtain credit for your elected service as described below, or
- You can become a member of PERS Plan 2 (See the PERS Plan 2 State Elected Official rules sheet).

If you are a former TRS Plan 2 or TRS Plan 3 member when elected, you are not eligible to resume TRS Plan 2 membership, however, you may be eligible to become a PERS Plan 2 member (See the PERS Plan 2 State Elected Official rules sheet).

### **Can I receive credit for past elected service?**

If you take a leave without pay from TRS Plan 2 or TRS Plan 3 to serve in statewide elected office, upon your return to active TRS service you may purchase a maximum of two years of your elected service. If, however, you chose to become a PERS member during your elected service, you are not eligible to purchase any previous elected service.

**Compensation earnable for legislators:** If you take leave without pay to serve in the legislature you are entitled to credit based on your choice of:

- a) The reportable compensation you would have earned if you had not served in the legislature, or
- b) The actual reportable compensation you earn from teaching plus your legislative reportable compensation.

If you select option (a) and it exceeds the compensation you would have received had you chosen option (b), you must pay employee and employer contributions on the amount by which option (a) exceeds option (b).

### **What if I am a retired TRS member when elected?**

If you are a retired TRS Plan 2 or TRS Plan 3 member when elected to office, you can choose to either remain retired and continue receiving your retirement allowance while serving in office, or become an active PERS Plan 2 or Plan 3 member while serving in office.

If you choose to remain retired while in office, you can work up to 867 hours in a calendar year without loss of benefits. Your benefits will be suspended if you work beyond 867 hours in a calendar year and will remain suspended until you leave office, or until the end of the calendar year, whichever comes first.

## TRS Plan 2 and Plan 3 Rules for State Elected Officials (continued)

### Washington State Department of Retirement Systems

If you choose to enter active member status, you will enter PERS (either Plan 2 or Plan 3); you will stop receiving a monthly retirement benefit; and you will begin making contributions to PERS and accumulating PERS service credit. Any retirement benefits received during the term in office in which you enter active PERS membership must be returned to DRS.

#### Questions?

To discuss the application of these rules to your specific case, call the DRS Central Reception Desk and ask to speak to the Legislative and Legal Services Unit.

DRS's **central telephone number** is toll free 1-800-547-6657 or locally (360) 664-7000.

**Office hours** are 8 a.m. to 5 p.m., Monday through Friday, except legal holidays.

#### THIS PUBLICATION IS A SUMMARY

This brochure does not contain a complete description of the law. If there are conflicts between the information contained in this brochure and retirement law, the applicable law will govern.

This publication is available in alternate formats. For information contact DRS Member Publications at (360) 664-7278.